IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 9TH FEBRUARY 2007 / 20TH MAGHA 1928

Bail Appl..No. 699 of 2007()

CRIME NO.405/06 OF PUTHUNAGARAM POLICE STATION

: PETITIONERS/ACCUSED NOS.1,2,4 TO 6,9,13 & 14:

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1. SURESH, S/O. KITTUNNI,
PLACHIMADA, KANIMARI, MOOLATHARA VILLAGE.

2. VINOD BABU, S/O. SUKUMARAN,
KAITHARAVU HOUSE, AYYAPPANKAVU, VANDITHAVALAM.

3. SURESH, S/O. CHAMIMALA,
PUTHENCHALLA, KANIMARI P.O.

4. BABU @ HARIDAS,
PUTHENCHALLA, KANIMARI P.O., PERUMATTY VILLAGE.

5. KURUPASWAMY, S/O. THANKAVELU,
KALIMENONCHALLA, KANIMARI, PERUMATTI VILLAGE.

6. RAVEENDRAN, S/O. KUNJAN,
THIMMICHETTY KOLUMBU, KANIMARI P.O.,
PERUMATTI VILLAGE.

7. KISHOREKUMAR, S/O.KUNJUMUTHU,
KALIMENONCHALLA, KANIMARI P.O.,PERUMATTI VILLAGE.

8. KUNJUPAPPU, S/O. ARUMUGAN,
THIMMICHATTI KOLUMBU, PERUMATTI VILLAGE.

BY ADV. SRI.SOJAN MICHEAL

RESPONDENTS: COMPLAINANT:

STATE OF KERALA (S.H.O. PUTHUNAGARAM
POLICE STATION), REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 699 OF 2007 B

Dated this the 9th day of February, 2007

O R D E R

The petitioners, who are accused Nos.1, 2, 4, 5, 6, 12, 8 and 10 respectively in Crime No.405/2006 of Puthunagaram Police Station for offences punishable under Sections 143, 147, 148, 323, 324, 326 and 307 read with section 149 IPC, seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The occurrence took place on 27.12.2006 at about 9.30 p.m. during the course of which two persons have sustained injuries and one of them has sustained fracture on his finger.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to direct accused Nos.5,6, 8, 10 and 12 to surrender before the Investigating Officer for interrogation and then to have their application for regular bail ordered by the Magistrate concerned. In the case of accused Nos.1, 2 and 4, they also will have to surrender before the Investigating Officer for interrogation and their application for regular bail will be considered by the Magistrate having jurisdiction. Accordingly, accused Nos.1, 2 and 4 are directed to surrender before the Investigating Officer on any day between

13.2.2007 and 15.2.2007 for the purpose of interrogation and recovery of incriminating materials, if any. Thereafter, they shall be produced before the Magistrate having jurisdiction on the same day. The Magistrate shall consider and dispose of the application, if any, filed by them for regular bail, preferably on the same date on which it is filed.

5. Accused Nos.5,6, 8, 10 and 12 shall also surrender before the Investigating Officer on any day between 13.2.2007 and 15.2.2007 for the purpose of interrogation. Thereafter, they shall be produced on the same day before the Magistrate concerned, who shall release them on bail on appropriate conditions.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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